

16558 U.S. PTO
031804

CONTINUING PATENT APPLICATION TRANSMITTAL
(for Continuing Applications under 37 C.F.R. §1.53(b))

Attorney Docket No. 05569.0004.DVUS11

First Named Inventor or
Application Identifier: McCafferty et al.

Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a request under 37 C.F.R. §1.53(b) for
filing a:

- () Continuation application,
(X) Divisional application,
() Continuation-in-Part application,

) CERTIFICATE OF MAILING BY "EXPRESS MAIL"
)
) "Express Mail" Mailing Label Number
)
) ER 022537082 US
)
) Date of Deposit March 18, 2004
) I hereby certify that this paper or fee is being deposited with
) the United States Postal Service "Express Mail Post Office
) to Addressee" Service under 37 CFR §1.10 on the date
) indicated above and is addressed to Mail Stop PATENT
) APPLICATION, Commissioner for Patents, P.O. Box 1450,
) Alexandria, VA 22313-1450
)
) Nate Le
) Typed or printed name of person mailing)
) Nathan Le
) (Signature of person mailing)
)

17858 U.S. PTO
10/803622
031804

1. (X) Enclosed is a divisional patent application containing:

303 pages of the specification (*including claims*).

46 sheets of drawings (X) Formal () Informal.

Pursuant to 37 C.F.R. § 1.53(b), this divisional application is filed with a new specification and corrected drawings, along with a copy of the oath/declaration from the prior application. Attorney for Applicants believe that the specification as submitted does not contain new subject matter

2. (X) The first paragraph of the specification has been amended to include:
"CROSS REFERENCE TO RELATED APPLICATION."

3. (X) A copy of the executed oath or declaration filed in the prior nonprovisional application is enclosed.

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4. **Inventorship:**

☐ A newly-executed oath or declaration and power of attorney is enclosed (*for continuation-in-part applications, or for continuation or divisional applications naming an inventor **not** named in the prior application*) (§1.63(a), (d)(5), and (e)).

☐ Because this application is being filed by fewer than all of the inventors named in the prior application, delete the following inventor(s) named in the prior nonprovisional application (37 C.F.R. §1.63(d)(1)(2)):

☐ The names of persons believed to be the actual inventors are set forth in the enclosed unexecuted oath or declaration and power of attorney (§1.41(a) and §1.53(b)).

5. ☐ Assignment(s) of the invention to _____, and cover sheet are enclosed.

☐ A check in the amount of \$_____ to cover the fee for recording the assignment(s) is enclosed.

6. ☒ The prior application is assigned of record to

Cambridge Antibody Technology Limited and to Medical Research Council

Reel 8301 and Frame 0070

7. **Small Entity Status (37 C.F.R. §1.28(a)(2)):**

☐ A statement of status as a small entity was filed in the prior application, and small entity status is still proper and desired in this new nonprovisional application.

☐ Status as a small entity is **no** longer claimed.

8. ☐ A 37 C.F.R. §3.73(b) statement is enclosed (*where an assignee seeks to take action in a matter before the Patent Office*).

9. ☐ A preliminary amendment is enclosed.

10. **Drawings**

☐ Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file. (*May be used only if signed by person authorized by §1.138 and before payment of base issue fee.*)

CONTINUING PATENT APPLICATION TRANSMITTAL

Attorney Docket No. 05569.0004.DVUS11

- (X) 46 sheets of formal drawings are enclosed.
() Informal drawings are enclosed.
11. (X) A separate written request under 37 C.F.R. §1.136(a)(3), which is a general authorization to treat any concurrent or future reply requiring a petition for an extension of time under 37 C.F.R. §1.136(a) for its timely submission as incorporating a petition for an extension of time for the appropriate length of time, is enclosed.
12. (x) An Information Disclosure Statement is enclosed.
(X) Two PTO-1449 are enclosed.
(X) References (copies) listed on the PTO-1449 forms are within the file for the parent application 09/726,219.
13. () A MicroFiche Computer Program (Appendix) is enclosed.
14. (X) A Return Receipt Postcard is enclosed (MPEP §503).
15. (X) A Nucleotide and/or Amino Acid Sequence Submission is enclosed.
(X) A Computer Readable Copy is enclosed.
(X) A Paper Copy (*identical to computer copy*) is enclosed.
(X) A Statement Verifying Identity of above copies is enclosed.
16. (X) Priority of application number PCT/GB92/00883 filed on 19 July 1991 in PCT is claimed under 35 U.S.C. §119.
(X) The certified copy of the priority document has been filed in prior application number 09/971,857, filed January 8, 1993.
() A certified copy of the priority document is enclosed.

CONTINUING PATENT APPLICATION TRANSMITTAL

Attorney Docket No. 05569.0004.DVUS11

17. Power of Attorney

(X) The Power of Attorney in the prior application is to:

(x) David W. Clough, Ph.D. Reg. No. 36,107
 HOWREY SIMON ARNOLD & WHITE, LLP
 Box No. 34
 1299 Pennsylvania Avenue, N.W.
 Washington, D.C. 20004-2402
 and other members of the firm.

(X) Customer Number 22930.

(X) The power appears in the original papers in the prior application.

() Since the power does *not* appear in the original papers in the prior application, a copy of the power in the prior application is enclosed.

18. (x) Cancel in this application original claims 1-43 of the prior application before calculating the filing fee. *(At least one original independent claim must be retained for filing purposes.)*

19. Filing Fee Calculation (37 C.F.R. §1.16)

(X) Utility Application

CLAIMS AS FILED – INCLUDING PRELIMINARY AMENDMENT (IF ANY)						
			SMALL ENTITY		LARGE ENTITY	
	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
BASIC FEE				\$385.00		\$770.00
TOTAL (No. of claims)	42	22	X \$9.00		X \$18.00	396.00
INDEP. (No. of claims)	2	-	X \$43.00		X \$86.00	--
Assumed no multiple dependent claims – First Presentation of Multiple Dependent Claim			+ \$145.00		+ \$290.00	290.00
Filing Fee =			\$		\$ 1456.00	

() Design Application (\$170.00/\$340.00)
 () Plant Application (\$265.00/\$530.00)

Filing Fee: \$
 Filing Fee: \$

CONTINUING PATENT APPLICATION TRANSMITTAL

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20. **Other Fees**

- () Recording Assignment [Fee – \$40.00 per assignment] \$ _____
- () Petition fee for filing by other than all the inventors or person on behalf of the inventor where refused to sign or cannot be reached [Fee – \$130.00] \$ _____
- () Other – _____ \$ _____
- Total Fees Enclosed** \$ _____

21. **Method of Payment of Fees**

- () Enclosed is our firm check in the amount of: \$ _____
- (X) Charge \$ 1456.00 to Deposit Account No. 08-3038.

22. (X) The Commissioner is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 08-3038. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 08-3038. This sheet is filed in duplicate.

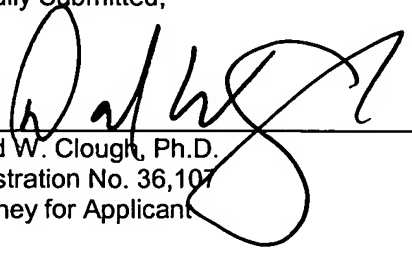
Please direct all future communications to:

HOWREY SIMON ARNOLD & WHITE, LLP

Attention: Box No. 34
1299 Pennsylvania Avenue, N.W.
Washington, D.C. 20004-2402
(202) 783-0800

Respectfully Submitted,

March 18, 2004
(Date)

By: 
David W. Clough, Ph.D.
Registration No. 36,107
Attorney for Applicant

HOWREY SIMON ARNOLD & WHITE, LLP
321 N. Clark Street, Suite 321
Chicago, Illinois 60610
(Direct) Phone No. (312) 595-1408
(Direct) Fax No. (312) 595-2250

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL

for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1456.00

Complete if Known

Application Number _____

Filing Date March 18, 2004

First Named Inventor J. McCafferty

Examiner Name _____

Art Unit _____

Attorney Docket No. 05569.0004.DVUS11

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

 Deposit
Account
Number
Deposit
Account
Name

08-2508

Howrey Simon Arnold & Whi

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	770.00
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$) 770.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
42	-20** = 22	X 18	= 396
Independent Claims	2	-3** =	X =
Multiple Dependent		290	= 290

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 686.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) -0-

SUBMITTED BY

(Complete if applicable)

Name (Print/Type) David W. Clough, Ph.D. Registration No. 36,107 Telephone 312 595-1408

Signature [Signature] Date March 18, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: J. McCafferty, et al.)	CERTIFICATE OF MAILING BY "EXPRESS MAIL"
Serial No.: To be assigned)	"Express Mail" Mailing Label Number ER 022537082
Filed: Filed herewith)	I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated below and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
For: Methods for Producing Members of Specific Binding Pairs)	
Group Art Unit: To be assigned)	Nate Le (Typed or printed name of person mailing)
Examiner: To be assigned)	 (Signature of person mailing)

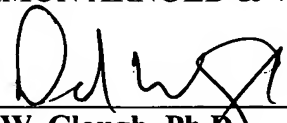
**GENERAL AUTHORIZATION FOR PETITION FOR
EXTENSION OF TIME UNDER 37 C.F.R. §1.136(a)(3)**

Applicant(s) hereby request under 37 C.F.R. §1.136(a)(3) by this general authorization that any concurrent or future reply submitted by Applicant(s) to the U.S. Patent and Trademark Office for the above-identified patent application requiring a petition for an extension of time under §1.136(a) for its timely submission be treated as incorporating therein a petition for an extension of time for the appropriate length of time.

If Applicant(s) do not timely pay for any extension fee(s) pursuant to 37 C.F.R. §1.136(a) which may become due for this application under 37 C.F.R. §1.17 by check, the Commissioner is hereby authorized to charge such fee(s), and any additional fees which may be required in this application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 08-3038.

Respectfully submitted,

HOWREY SIMON ARNOLD & WHITE, LLP

By: 
David W. Clough, Ph.D.
Registration No. 36,107

March 18, 2004
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